

Amendment to the Claims:

This listing of claims will replace all versions, and listings, of claims in the application:

Listing of Claims:

Claims 1- 54 (Cancelled)

55. (New) A system comprising:

a plurality of access points;

wherein each of the plurality of access points is configured to independently scan a plurality of operating frequencies to detect operating frequencies of other of the plurality of access points; and

wherein each of the plurality of access points is configured to independently select an operating frequency to minimize interference based on non-overlapping frequencies, signal strength and load of the other of the plurality of access points detected; and

wherein highest priority is given to a non-overlapping frequency and second highest priority is given to signal strength.

56. (New) A system according to claim 55, wherein the operating frequency selected is also based on is how many of the other of the plurality of access points are detected on each of the plurality of other operating frequencies.

57. (New) A system according to claim 55, wherein the operating frequency is selected to evenly distribute operating frequencies among the plurality of access points.

58. (New) A system according to claim 55, wherein the operating frequency selected is also based on maximizing throughput for the plurality of access points.

59. (New) A method for a wireless base unit to select an operating frequency, comprising:

scanning a plurality of operating frequencies to detect operating frequencies, signal strength and loads of other base stations within range of the wireless base unit;

independently selecting the operating frequency to minimize interference based on non-overlapping frequencies, signal strength and the load on the other base stations detected;

wherein highest priority is given to a non-overlapping frequency and second highest priority is given to signal strength.

60. (New) The method of claim 59, wherein the selecting step is additionally based on how many of the other access points are detected operating on each of the plurality of operating frequencies.

61. (New) The method of claim 59, wherein the selecting step is additionally based on selecting the operating frequency in a manner so that operating frequencies of the plurality of base unit devices in a wireless network are evenly distributed.

62. (New) The method of claim 59, wherein the selecting step is additionally based on selecting the operating frequency that maximizes throughput.

63. (New) A wireless base station comprising:
means for detecting other base stations operating on each of a plurality of frequencies within range of the wireless base unit;

means for acquiring data representative of operating frequencies, signal strength and load of the other base stations operating on the plurality of frequencies from the means for detecting;

means for determining a non-overlapping frequency; and

means for selecting the operating frequency to minimize interference based on non-overlapping frequencies, signal strength and load of the other base stations detected;

wherein highest priority is given to non-overlapping frequency and second highest priority is given to signal strength.

64. (New) The wireless base unit of claim 63 wherein the means for selecting an operating frequency is further based on how many of the other base units are detected operating on each of the plurality of frequencies.

65. (New) The wireless base unit of claim 63 wherein the means for selecting an operating frequency further comprises means for evenly distributing operating frequencies.

66. (New) The wireless base unit of claim 63 wherein the means for selecting an operating frequency further comprises means for maximizing throughput.

67. (New) An access point comprising:
a transceiver operative to transmit and receive signals on any of a plurality of frequencies;
a controller operatively coupled to the transceiver and configured to select an operating frequency for the transceiver from the plurality of frequencies;
wherein the transceiver is responsive to the controller to scan a plurality of frequencies to acquire data representative of operating frequencies, signal strength and load of other base stations operating on the plurality of frequencies;
wherein the controller is configured to select the operating frequency to minimize interference based on non-overlapping frequencies, signal strength and the load of the other access points detected;
wherein the highest priority is given to non-overlapping frequency and second highest priority is given to signal strength.

68. (New) An access point of claim 67, wherein the controller is configured to select an operating frequency based on how many of the other access points are detected on each of the plurality of frequencies.

69. (New) An access point of claim 67, wherein the controller is configured to select an operating frequency that evenly distributes the plurality of operating frequencies.

70. (New) An access point of claim 67, wherein the controller is configured to select an operating frequency to maximize throughput.